REMARKS

Claims 1-9 are pending in the application.

Claims 1 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Okumura et al (WO 97/50219).

Claims 1 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nara (EP 0817440).

Claims 2 and 5 are rejected under 35 U.S.C. § 103 as being unpatentable over Okumura et al, in view of the admitted prior art.

Claims 2, 3 and 5 are rejected under 35 U.S.C. § 103 as being unpatentable over Nara in view of the admitted prior art.

Claims 6-9 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

The Examiner requires that Figs. 1 and 2 be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Submitted with this Amendment are Figs. 1 and 2 labeled "PRIOR ART".

The Examiner has acknowledged applicant's claim for priority based on the application filed in Korea. The Examiner states, however, that applicant has not filed a certified copy of Korean Application 2000-66862. Applicant notes that Korean Application No. 2000-66862 was submitted with the initial filing on July 3, 2001, and was acknowledged by the Patent Office in the request for Early Notification of Serial No.

Claim Rejections Under 35 U.S.C. § 102

In rejecting claims 1 and 4 under 35 U.S.C. § 102(b) as being anticipated by Okumura et al, the Examiner refers to the abstract of this reference as teaching each of the elements of claims 1 and 4. Applicant submits, however, that Okumura et al does not disclose a "decoded data outputting part for selectively outputting data that correspond to a frame length detected from the input data which have not been decoded by the preliminary decoding part... (as recited in claim 1). Okumura et al determines a frame length by analyzing decoded data sequences.

In more detail, an embodiment of the invention shown in Fig. 3 of the present application includes a frame length determining part 332 that detects a frame length from the input data. On the other hand, Okumura et al teaches a receiver that performs Viterbi decoding up to the final bit position of transmittable frame data by successively assuming the final bit position, and then analyzing the decoded data sequences to assume a final bit position of the transmission frame data.

Similar comments apply to claim 4.

Claims 1 and 4 are also rejected under 35 U.S.C. § 102(b) as being anticipated by Nara. Applicant submits that Nara does not disclose a "decoded data outputting part for selectively outputting data that correspond to a frame length detected from the input data which have not been decoded by the preliminary decoding part... (as recited in claim 1).

Nara employs a transmission rate determination means 105 (FIG. 4) which makes the determination of the transmission rate for each received frame of data. This determination is

based upon analysis performed by first transmission rate judgment means 104 and second transmission rate judgment means 108. Each of the elements 104 and 108 perform analyses on decoded data output from Viterbi decoder 102. Therefore, Nara does not teach or suggest a decoded data outputting part for selectively outputting data that correspond to a frame length detected from the input data which have not been decoded by the preliminary decoding part, as recited in claim 1.

Similar arguments apply to claim 4.

Claim Rejections Under 35 U.S.C. § 103

Claims 2 and 5 are rejected are rejected under 35 U.S.C. § 103 as being unpatentable over Okumura et al in view of the admitted prior art.

Applicant submits that the admitted prior art does not make up for the deficiencies of Okumura with respect to independent claims 1 and 4.

Claims 2, 3 and 5 are rejected under 35 U.S.C. § 103 as being unpatentable over Nara in view of the admitted prior art.

Applicant submits that the admitted prior art does not make up for the deficiencies of Nara, described with respect to the rejections of claims 1 and 4.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

In rejecting claims 6-9 under 35 U.S.C. § 112, second paragraph, the Examiner states that in claim 6, the limitations "a frame length indicating parameter" recited in lines 3-4 and "a frame length parameter" recited in lines 4-5 have exactly the same purpose (i.e., indicating the possible

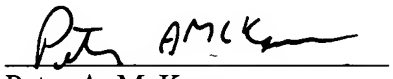
frame length), and that it is not clear how to distinguish the difference between the two limitations.

Applicant submits that "the frame length indicating parameter" and "a frame length parameter" represent different concepts and do not have the same purpose. More specifically, a "frame length indicating parameter" is described at page 10, lines 15-16 of the specification, and is used, for example, in step S149 of Fig. 5B. On the other hand, a "frame length parameter" is described at page 10, line 16 of the specification and is used, for example, in step S144 of Fig. 5B. Because these concepts are unrelated, Applicant submits that it is not necessary to amend the claims in response to this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373
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Date: December 20, 2004

REQUEST OF EARLY NOTIFICATION OF SERIAL NUMBER

Inventor(s): Jae-hong KIM, Jun-jin KONG and Sung-han CHOI

Title: APPARATUS AND METHOD FOR DECODING DATA OF UNKNOWN FRAME LENGTH

Atty Doc. #: Q63316 Client: NAWOO PATENT & LAW FIRM

Filing Date: July 03, 2001 # Pgs. Spec/Abst: 17/1 #Claims: 9

Dwg. Sheets: 6 Decl NO Prelim Amdt NO

IDS/Prior Art: NO Pr Doc: YES(1) Asgmt: NO Fee: $710.00

NO Check Attached NO Charge to Deposit # 19-4880 Atty/Sec: DM/plr/aaa

SERIAL NO.: CONF NO.:

70

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대 한 민 국 특 허 청
KOREAN INDUSTRIAL PROPERTY OFFICE

별첨 사본은 아래 출원의 원본과 동일함을 증명함.

This is to certify that the following application annexed hereto is a true copy from the records of the Korean Industrial Property Office.

출 원 번 호 : 특허출원 2000년 제 66862 호
Application Number

출 원 년 월 일 : 2000년 11월 10일
Date of Application

출 원 인 : 삼성전자 주식회사
Applicant(s)

2000 년 12 월 19 일

특 허 청
COMMISSIONER

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings include the following changes:

In Figs. 1 and 2, the "Prior Art" label is added.